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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

MARY ANN SIVOLELLA, et al.

**Civ. A. No. 3:11-cv-04194-PGS-DEA**

Plaintiffs,

vs.

AXA EQUITABLE FUNDS  
MANAGEMENT GROUP, LLC,  
et al.,

Defendants.

GLENN D. SANFORD, et al.

**Civ. A. No. 3:13-cv-00312-PGS-DEA**

Plaintiffs,

vs.

**Motion Return Date: October 21, 2013**

AXA EQUITABLE FUNDS  
MANAGEMENT GROUP, LLC,  
et al.,

Defendants.

**NOTICE OF MOTION TO COMPEL  
THIRD-PARTY SUB-ADVISERS TO  
COMPLY WITH SUBPOENAS AND  
PRODUCE THE SUBPOENAED  
PROFITABILITY DOCUMENTS**

To: Jonathan M. Korn, Esq.  
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Counsel:

**PLEASE TAKE NOTICE** that on October 21, 2013, at 9:00 a.m., or as

soon thereafter as counsel may be heard, the undersigned attorneys for Plaintiffs  
Mary Ann Sivolella, et al. and Glenn D. Sanford, et al., shall move before the  
United States District Court for the District of New Jersey, Clarkson S. Fisher  
Building and U.S. Courthouse, 402 East State Street, Trenton, NJ 08608, for an  
Order compelling third-party Sub-Advisers, BlackRock Investment Management,

LLC, BlackRock Capital Management, Morgan Stanley Investment Management, Inc. and Wellington Management Company, LLP (the “Sub-Advisers”), to comply with subpoenas and produce profit and loss or other statements that contain information about the profits earned by the Sub-Advisers.

**PLEASE TAKE FURTHER NOTICE** that in support of this motion, Plaintiffs shall rely upon the accompanying Memorandum of Law and Declaration of Robert L. Lakind. A form of Order is also enclosed; and

**PLEASE TAKE FURTHER NOTICE** that oral argument is requested in the event the motion is opposed.

Dated: September 27, 2013

/s/ Robert L. Lakind

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